

Martha Escutia

06-1-06

The attached letter has been signed by the following Members of the Legislature:

Senate President Pro tempore Don Perata
Senate Majority Leader Gloria Romero
Senate Elections Committee Chair Debra Bowen
Senate Rules Committee Member Gil Cedillo
Senate Business & Professions Committee Chair Liz Figueroa
Senate Health Committee Chair Deborah Ortiz
Senate Judiciary Committee Chair Joseph Dunn
Senator Edward Vincent
Senate Public Employees Committee Chair Nell Soto
Senate Environmental Quality Committee Chair Joe Simitian
Senate Labor Committee Chair Richard Alarcon
Senate Public Safety Committee Chair Carole Migden
Senate Insurance Committee Chair Jackie Speier
Senate Air Quality Committee Chair Dean Florez

Assembly Education Committee Chair Jackie Goldberg
Assembly Member Lori Saldana
Assembly Member Pedro Nava
Assembly Member Joe Coto
Assembly Business & Professions Committee Chair Gloria Negrete-McLeod
Assembly Local Government Committee Chair Simon Salinas
Assembly Transportation Committee Chair Jenny Oropeza
Assembly Revenue & Taxation Committee Chair Johan Klehs
Assembly Arts & Entertainment Committee Chair Ed Chavez
Assembly Elections Committee Chair Tom Umberg
Assembly Member Mervyn Dymally

California State Senate

SACRAMENTO OFFICE
STATE CAPITOL,
ROOM 5080
SACRAMENTO, CA 95814-4900
TEL (916) 651-4030
FAX (916) 327-8755

DISTRICT OFFICE
12440 E. IMPERIAL HWY
SUITE 125
NORWALK, CA 90650
TEL (562) 929-6060
FAX (562) 929-0366

SENATOR
MARTHA M. ESCUTIA
THIRTIETH SENATE DISTRICT



CHAIR

SENATE ENERGY, UTILITIES AND COMMUNICATIONS COMMITTEE

COMMITTEES
CHAIR,
ENERGY, UTILITIES, AND
COMMUNICATIONS COMMITTEE
MEMBER
APPROPRIATIONS
ENVIRONMENTAL QUALITY
JOINT RULES COMMITTEE
JUDICIARY
SELECT COMMITTEE
CHAIR,
GLOBAL ENVIRONMENT
SUBCOMMITTEE
CHAIR,
ADMINISTRATION
OF JUSTICE

The Honorable Robert Sawyer
Chairperson, California Air Resources Board
1001 I Street
Sacramento, CA 95812

January 24, 2006

Dear Chairperson Sawyer:

On behalf of constituents, we are writing jointly to address some critical issues that remain unresolved regarding the 2005 statewide Memorandum of Understanding (MOU) between California Air Resources Board (CARB) staff and the Union Pacific and Burlington Northern Santa Fe railroad companies. As you know, continued air pollution from locomotives and railyards is a major health and safety concern for the people we represent.

We understand that the California Air Resources Board has previously heard from the public, as well as elected officials, urging cancellation or amendment of the MOU to eliminate major problems. Your staff is in receipt of letters expressing their concerns and has chosen to disregard them in the latest staff report prepared for your Board meeting of January 27, 2006 in Sacramento. The fact that only the "Termination/Release Clause" was partly addressed by CARB staff, while numerous other ambiguities in the MOU were not addressed is very troubling. Even so, the so-called "clarification" of the Poison Pill Provision is seriously flawed.

Unless the MOU is rescinded or the "Termination Clause" removed, we will work through the legislative process to encourage the State Legislature of California to instruct the California Air Resources Board to nullify the Statewide MOU with the railroads.

We would like to thank you for organizing Public Consultation Meetings and a Board Hearing on the MOU in 2005 which allowed for questions and comments from the public. We plan on following the process to ensure that the interests of the people we serve are protected and air pollution impacts of railroad operations are reduced or mitigated to the fullest extent.

If you have any questions, please feel free to contact one of us.

Sincerely,

Martha M. Escutia
Senator, 30th District

Colvin Romero

Deke Bowen

Gil Cedillo

~~Blaine~~

Robert Catrign

Joseph S. Dunn

Edward Kim

Joshua Goldberg

Zari Saldana

R
the Cat

Dee Deb

La Jente

S. J. Sitt

Richard Alarcon

Amth

Blaine Negrete M. Del

Li Sch

Jerry Cross

Blaine Ellis

DCP

My

My h. Dignely

Dear Story

Jack Spier